

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

Tr.P(C).No. 304 of 2006()

AGAINST THE ORDER IN OS10/05,OS604/03 IN
OS.593/2005 of ADDL.MUNSIFF COURT,NEDUMANGAD
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PETITIONER:

VIMALA, 51 YEARS,
D/O.RAJAMMA, VIMALA BHAVAN,
PALEKKONAM, KOTTAKKAKAM MURI,
ARYANAD VILLAGE, TRIVANDRUM DISTRICT.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS:

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1. BABY SAROJAM, D/O.SARASA BHAI,
KRISHNA VILASOM, MANALUVILA, VENPAKAL,
ATHIYANNUR VILLAGE, NEYYATTINKARA TALUK,
TRIVANDRUM DISTRICT.
 2. K. MADHAVAN, ANANDA BHAVAN,
AZHIKIKONAM, CHENKAL VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.
 3. K. PRABHAKARAN, AYODHYA BHAVAN,
MUTTAKKAD, PERUMPAZHUTHOOR CHENKAL VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.
 4. K. MOHANAKUMAR, VAISHNAVAM,
MUTTAKKA, PERUMPAZHUTHOOR, CHENKAL VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.
 5. RAJESWARI, D/O.SARASA BHAI,
LAKSHMI SADANAM, MUTTUKKAD, PERUMPAZHUTHOOR,
CHENKAL VILLAGE, NEYYATTINKARA TALUK,
TRIVANDRUM DISTRICT.
 6. REMA, D/O.GOMATHI, K.S. NIVAS,
PALEKONAM, ARYANAD VILLAGE,
NEYYATTINKARA TALUK, TRIVANDRUM DISTRICT.

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7. ENOSE RADHAKRISHNAN, KALIVEEDU,
PALEKONAM, PAZHAYATHERUVU MURI,
ARYANAD VILLAGE, NEYYATTINKARA TALUK,
TRIVANDRUM DISTRICT.

8. RANJAN, KUZHIVILA VEEDU,
PALEKKONAM, PAZHAYA THERUVU MURI,
ARYANAD VILLAGE, TRIVANDRUM DISTRICT.

9. SHYLA, W/O.RANJAN,
KUZHIVILA VEEDU, PALEKKONAM,
PAZHAYA THERUVU MURI, ARYANAD VILLAGE,
TRIVANDRUM DISTRICT.

BY
THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

M.SASIDHARAN NAMBIAR, J .

Tr.P.(C)NO.304 OF 2006

DATED THIS THE 20th DAY OF DECEMBER, 2006

ORDER

This petition is filed to transfer O.S.593/05 pending before Munsiff Court-I, Neudmangad and O.S.10/05 and O.S.604/03 pending before Munsiff Court-II, Nedumangad to Family Court, Nedumangad. Case of petitioner was that petitioner has filed O.P.633/06 before Family Court, Nedumangad seeking a declaration that she is the legally wedded wife of deceased Bahuleyan and the suits pending before Munsiff Court, Nedumangad were filed by said Bahuleyan and on his death, petitioner filed applications to get herself impleaded therein which were objected to by brothers of deceased Bahuleyan and the question whether petitioner is the legal heir of the deceased Bahuleyan is to be decided by Family Court in O.P.633/06 and as the same question has to be decided in the other suits ,all the suits are to be tried before Family Court, Nedumangad.

2. On hearing learned Counsel appearing for petitioner, I do not find it necessary to transfer the suits pending before Munsiff Court, Nedumangad to Family Court, Nedumangad. Though the suits are for realisation of the amount due to deceased Bahuleyan, the question

whether petitioner is the legal heir or one of the legal heirs is only incidentally arise in those suits. For that purpose the suits are not to be transferred to Family Court, Nedumangad.

Petition is dismissed.

M.SASIDHARAN NAMBIAR, JUDGE

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